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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO. 2259 OF 2006
IN
FIRST APPEAL(ST)NO. 10013 of 2006

Maharashtra State Road Transport
Corporation ..Appellants
v/s.
Smt. Asha Anand Pandey & anr. ..Respondents

Mr.C.M.Lokesh i/b.G.S.Hegde for the Appellants
Mr.R.B.Parab for the Respondents

CORAM : ANOOP V. MOHTA,J.
DATED : 29th September, 2007

P.C.

This is an application for condonation of delay of 387 days in filing the present appeal against the judgment and award dated 17-12-2004 passed by the MACT, Palghar.

2. The Appellant is a Corporate Body. Sometime in February 2005 the papers were sent to Head office for deciding the issue of filing appeal. The papers were misplaced in the Head office. On 28-10-2005 the papers were sent to the Head office again. Meanwhile the legal advisor was also transferred in May 2005 and that also affected day to day affairs of the legal department and took sometime to steamline the functions of legal department. It is necessary for such Corporation to seek approval from the legal Advisor before filing appeals. Therefore, it also consumed sometime. On

5-1-2006 the papers were sent to their Advocates for filing appeal and accordingly the present appeal has been filed on 12-4-2006.

3. Considering these facts and as there is no reply to the additional affidavit filed by the appellant, I am of the view that it is in the interest of both the parties that the present appeal be heard. The Appellant has also pursuance to order dated 16-10-2006 deposited the decretal amount in the Tribunal.

4. Taking into consideration the above facts the application for condonation of delay is granted in terms of prayer clause (a), however, this is subject to cost of Rs. 5,000/- to be paid to the Respondent claimant to be paid within four weeks as a condition precedent.

5. Civil Application is disposed off accordingly.

[ANOOP V. MOHTA,J.]